



Board Agenda Item 51

DATE: September 11, 2018

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: FY 2018-2019 Exhibit 9-B Local Agency Disadvantaged Business Enterprise Annual Submittal Form

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute the Exhibit 9-B Local Agency Disadvantaged Business Enterprise Annual Submittal Form with the California Department of Transportation for Federal Fiscal Year 2018-2019.

Approval of the recommended action will satisfy the requirements of the Disadvantaged Business Enterprise (DBE) Program Implementation Agreement No. 09-169 for Local Agencies with the California Department of Transportation (Caltrans). The agreement requires that a Local Agency DBE Annual Submittal Form be sent to Caltrans for the following Federal Fiscal Year (FFY). This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the County will not be eligible to receive Federal reimbursement or additional funding authorizations for transportation projects in FFY 2018-2019.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The form is required to continue receiving Federal reimbursement for transportation projects. The Department of Public Works and Planning has brought or will bring projects before your Board separately for consideration and approval.

DISCUSSION:

The United States Department of Transportation (DOT) requires recipients of Federal aid for transportation projects to implement Caltrans' DBE program to ensure nondiscrimination in the award and administration of DOT assisted contracts administered by Caltrans. Local agencies are required to submit an Exhibit 9-B form annually, implement race-neutral measures to encourage DBE participation, and to establish project or contract specific DBE goals to target DBEs. Race-neutral measures may include arranging solicitations, times for the presentation of bids, quantities, specifications, and delivery schedules in ways that facilitate DBE and other small business participation. The Department of Public Works and Planning establishes DBE contract goals on a project by project basis to facilitate DBE contractor and consultant participation. As part of the form, the department's method of prompt payment of withheld funds to subcontractors and a mechanism for prompt payment enforcement is included, see Attachment A and Attachment B of Exhibit 9-B.

OTHER REVIEWING AGENCIES:

Caltrans will execute the form following your Board's approval and execution by the Chairperson .

REFERENCE MATERIAL:

BAI #39, August 22, 2017

BAI #44, May 5, 2009

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit 9-B

CAO ANALYST:

Sonia M. De La Rosa